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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,932	08/11/2006	Johan Torsner	P19250-US1	7997
27045	7590	03/04/2009		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER SARWAR, BABAR	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 03/04/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/597,932

Applicant(s)

TORSNER ET AL.

Examiner

BABAR SARWAR

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-98 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-98 is/are rejected.
- 7) ☐ Claim(s) 50,58,66,67,82,83,98 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/083)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Specification

1. The title of the invention is objected to because of the following informalities:

The abbreviated term “**dch**” should be spelled out.

Appropriate correction is required.

2. **Claims 50, 58, 66-67, 82-83, and 98** are objected to because of the following informalities: the abbreviated terms “**URA PCH**”, “**DCH**”, “**FACH**” need to be spelled out.

Appropriate correction is required.

Preliminary Amendments

3. **Claims 1-49** have been cancelled as per preliminary amendments.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 50-98 are rejected under 35 U.S.C. 102(b) as being anticipated by Wallentin et al. (US 6,594,238 B1), hereinafter referenced as Wall.

Consider **claim 50**, Wall discloses a method in a User Equipment (UE) for initiating a data transfer from the UE in a Universal Mobile Telecommunications System (UMTS) terrestrial radio access network (UTRAN) (**Abstract, Col. 3 lines 59-67, Col. 4 lines 1-59, Fig. 2**). Wall further discloses wherein the UTRAN comprises at least one

Radio Network Controller (RNC) connectable to the UE that is capable of being in the states URA PCH, CELL PCH or CELL DCH (**Col. 7 lines 53-67, Col. 8 lines 1-25, Fig. 7, where Wall discloses connection states**). Wall discloses that the method comprising the steps of: introducing delay reducing information in a data transfer initiating message by the UE (**Col. 2 lines 42-47, Fig. 5, where Wall discloses changing the connection state based on the amount of data in the queue**); transmitting the data transfer initiating message by the UE; receiving a message from the RNC comprising information for transferring the UE from the URA PCH or the CELL PCH state directly to the CELL DCH state by means of the delay reducing information in the data transfer initiating message (**Abstract, Col. 2 lines 7-67, Col. 3 lines 1-7, 59-67, Col. 4 lines 1-67, Col. 5 lines 1-11, 44-67, Col. 6 lines 1-67, Col. 7 lines 22-67, Col. 8 lines 1-67, Col. 9 lines 1-25, 53-65, Figs. 2, 4-12, where Wall discloses transferring connection states based on traffic density/volume i.e. reducing delay by changing connection states**).

Consider **claim 51**, Wall discloses everything claimed as implemented above (see claim 50). In addition, Wall discloses that the data transfer initiating message is an uplink cell update message transmitted by a UE (**Col. 7 lines 56-65, Col. 8 lines 14-25, where Wall discloses mobile station requesting i.e. transmitting (on uplink) a message to set up a connection state**).

Consider **claim 52**, Wall discloses everything claimed as implemented above (see claim 50). In addition, Wall discloses that, wherein the delay reducing information comprises information if the traffic volume of the data to be transmitted is above a pre-

configured threshold (**Col. 6 lines 33-67, Col. 7 lines 1-5, Col. 8 lines 14-25, Where Wall discloses traffic volume and thresholds to determine connection states**).

Consider **claim 53**, Wall discloses everything claimed as implemented above (see claim 52). In addition, Wall discloses that wherein the delay reducing information further comprises information whether the data to be transmitted is available on a user bearer or on a signaling bearer (**Col. 2 lines 7-67, Col. 3 lines 1-7, Col. 4 lines 43-59, Col. 8 lines 14-25, where Wall discloses the connection states based on various factors and considerations i.e. desired bearer service, current amount of data in the queue, current connection state**).

Consider **claim 54**, Wall discloses everything claimed as implemented above (see claim 51). In addition, Wall discloses that wherein the delay reducing information is indicated in an extension of the cell update message (**Col. 5 lines 1-11, Col. 7 lines 23-52, and Col. 8 lines 48-60**).

Consider **claim 55**, Wall discloses everything claimed as implemented above (see claim 54). In addition, Wall discloses that wherein the extension comprises at least one dedicated flag (**Col. 9 lines 53-65**).

Consider **claim 56**, Wall discloses everything claimed as implemented above (see claim 50). In addition, Wall discloses that wherein the extension comprises currently reserved code points comprising spare values in the existing cell update message (**Abstract, Col. 2 lines 48-67, Col. 3 lines 1-7, Col. 4 lines 44-59, Col. 5 lines 1-11, Col. 7 lines 23-52, and Col. 8 lines 48-60**).

Consider **claim 57**, Wall discloses everything claimed as implemented above

(see claim 50). In addition, Wall discloses that wherein the step of receiving a message from the RNC comprises the steps of: receiving a cell update confirm message from the RNC; and, transmitting a Radio Bearer configuration complete message to the RNC **(Col. 9 lines 13-25)**.

Claim 58, as analyzed with respect to limitations as discussed in claim 50.

Claim 59, as analyzed with respect to limitations as discussed in claim 51.

Consider **claim 60**, Wall discloses everything claimed as implemented above (see claim 58). In addition, Wall discloses that wherein the delay reducing information comprises any of the information parameters: physical and transport channel configuration parameters, code allocation and radio bearer configuration, and the identity parameter-RNTI **(Abstract, Col. 2 lines 24-67, Col. 3 lines 1-7, Col. 9 lines 13-25)**.

Consider **claim 61**, Wall discloses everything claimed as implemented above (see claim 60). In addition, Wall discloses that wherein the delay reducing information further comprises at least an uplink Dedicated Physical Channel (DPCH) related information, downlink DPCH related information, downlink radio link related information, power control configurations or potential high speed downlink shared channel (HS DSCH) configurations **(Col. 6 lines 33-67, Col. 7 lines 1-22, where Wall discloses selecting connection states based on traffic density i.e. based on delay reducing information)**.

Consider **claim 52**, Wall discloses everything claimed as implemented above (see claim 60). In addition, Wall discloses that the method comprises the further step of

indicating the delay reducing information in an extension of the paging message (**Col. 2 lines 24-47. Col. 4 lines 44-59**).

Consider **claim 63**, Wall discloses everything claimed as implemented above (see claim 62). In addition, Wall discloses that the method comprises the further step of indicating the delay reducing information in said extension explicitly (**Col. 2. lines 59-67, Col. 3 lines 1-7**).

Consider **claim 64**, Wall discloses everything claimed as implemented above (see claim 62). In addition, Wall discloses that the method comprises the further step of indicating the delay reducing information in said extension by means of a pointer to a previously transmitted downlink message, wherein the previously transmitted downlink message comprises the delay reducing information (**Abstract, Col. 4 lines 44-59, Col. 5 lines 1-11, and Col. 6 lines 33-53**).

Consider **claim 65**, Wall discloses everything claimed as implemented above (see claim 59). In addition, Wall discloses that the method comprises wherein the transferring step comprises the step of receiving a Radio Bearer re-configuration complete message from the UE (**Col. 2 lines 7-67, Col. 3 lines 1-7, Col. 4 lines 43-59, Col. 5 lines 1-11, Col. 8 lines 14-25, where Wall discloses the connection states based on various factors and considerations i.e. desired bearer service, current amount of data in the queue, current connection state**).

Claim 66, as analyzed with respect to limitations as discussed in claim 50.

Claim 67, as analyzed with respect to limitations as discussed in claim 50.

Claim 68, as analyzed with respect to limitations as discussed in claim 51.

Claim 69, as analyzed with respect to limitations as discussed in claim 52.

Claim 70, as analyzed with respect to limitations as discussed in claim 53.

Claim 71, as analyzed with respect to limitations as discussed in claim 54.

Claim 72, as analyzed with respect to limitations as discussed in claim 55.

Claim 73, as analyzed with respect to limitations as discussed in claim 56.

Claim 74, as analyzed with respect to limitations as discussed in claim 57.

Claim 75, as analyzed with respect to limitations as discussed in claim 59.

Claim 76, as analyzed with respect to limitations as discussed in claim 60.

Claim 77, as analyzed with respect to limitations as discussed in claim 61.

Claim 78, as analyzed with respect to limitations as discussed in claim 62.

Claim 79, as analyzed with respect to limitations as discussed in claim 63.

Claim 80, as analyzed with respect to limitations as discussed in claim 64.

Claim 81, as analyzed with respect to limitations as discussed in claim 65.

Claim 82, as analyzed with respect to limitations as discussed in claim 50.

Claim 83, as analyzed with respect to limitations as discussed in claim 50.

Claim 84, as analyzed with respect to limitations as discussed in claim 51.

Claim 85, as analyzed with respect to limitations as discussed in claim 52.

Claim 86, as analyzed with respect to limitations as discussed in claim 53.

Claim 87, as analyzed with respect to limitations as discussed in claim 54.

Claim 88, as analyzed with respect to limitations as discussed in claim 55.

Claim 89, as analyzed with respect to limitations as discussed in claim 56.

Claim 90, as analyzed with respect to limitations as discussed in claim 57.

Claim 91, as analyzed with respect to limitations as discussed in claim 59.

Claim 92, as analyzed with respect to limitations as discussed in claim 60.

Claim 93, as analyzed with respect to limitations as discussed in claim 61.

Claim 94, as analyzed with respect to limitations as discussed in claim 62.

Claim 95, as analyzed with respect to limitations as discussed in claim 63.

Claim 96, as analyzed with respect to limitations as discussed in claim 64.

Claim 97, as analyzed with respect to limitations as discussed in claim 65.

Claim 98, as analyzed with respect to limitations as discussed in claim 50.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:00 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BS/

/BABAR SARWAR/
Examiner, Art Unit 2617

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617